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13 Attorney for Defendants County of Merced, "Merced County Sheriff's Office" (a
14 department of the County of Merced), Vernon Warnke, Soto, Andrea Sweeney,
15 and Roman Granado

16 In the United States District Court

17 For the Eastern District of California, Fresno Division

18 Estate of Jacob Apodaca and Robert
19 Apodaca, Jr.,

20 Plaintiffs,
21 Case No. 1:23-cv-00171-JLT-SAB
22 v.
23 [consolidated with 1:23-cv-00864-JLT-
24 EPG]

25 County of Merced, Merced County
26 Sheriff's Office, Vernon Warnke, Soto,
27 Andrea Sweeney, Roman Granado, and
28 Doe 1 to 20,
29 Defendants

30 Request for Defendants Vernon Warnke,
31 Brandon Soto, Andrea Sweeney and
32 Roman Granado to be Excused from
33 Attending Settlement Conference
34 Proceedings and [Proposed] Order

35 Date: November 6, 2023

36 Time: 9:00 a.m.

37 Judge: Hon. Magistrate Judge Kendall J.
38 Newman

39 A settlement conference has been set before Magistrate Judge Kendall J.
40 Newman for November 6, 2023, via video conferencing through the Zoom
41 platform. Pursuant to Local Rule 270(d), Fed. R. Civ. P. 16, and the Settlement
42 Conference Procedures published by Magistrate Judge Kendall J. Newman, the
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1 Court requires parties to have a principal with full settlement authority present
2 for the conference or be fully authorized to settle the matter on any terms.

3 Defendant COUNTY OF MERCED has a statutory duty to defend and
4 indemnify Defendants Vernon Warnke, Brandon Soto, Andrea Sweeney and
5 Roman Granado for conduct within the course and scope of their employment as
6 employees of the Sheriff's Department, and is sending representatives authorized
7 to settle the matter in full, including on behalf of Defendants Vernon Warnke,
8 Brandon Soto, Andrea Sweeney and Roman Granado. As a result, Defendants
9 Vernon Warnke, Brandon Soto, Andrea Sweeney and Roman Granado
10 specifically request to be personally excused from appearing at the conference.
11 Instead, Defendants Vernon Warnke, Brandon Soto, Andrea Sweeney and
12 Roman Granado request permission to (1) appear by and through their counsel,
13 Jenna M. Anderson of the Office of County Counsel, County of Merced, and (2) to
14 remain on telephone and electronic standby should their participation be
15 requested or their consent to any settlement be required.

15 | Dated: October 30, 2023

Forrest W. Hansen
Merced County Counsel

By: /s/ Jenna M. Anderson
Jenna M. Anderson
Chief Deputy County Counsel
Attorneys for Defendants County of
Merced, "Merced County Sheriff's
Office" (a department of the County
of Merced), Vernon Warnke, Soto,
Andrea Sweeney, and Roman
Granado

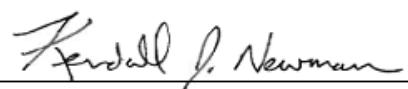
ORDER

IT IS HEREBY ORDERED THAT Defendants Vernon Warnke, Brandon Soto, Andrea Sweeney and Roman Granado may appear for the settlement

1 conference scheduled for 9:00 a.m. on November 6, 2023, by and through their
2 counsel, Jenna M. Anderson of the Office of the County Counsel, County of
3 Merced, and to remain on telephone and electronic standby should their
4 participation by conference call or via the Zoom platform be requested, and/or
5 their consent to any settlement be required.

6 IT IS SO ORDERED.

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8 Dated: October 31, 2023

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE